




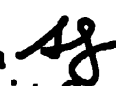
FEDERAL ELECTION COMMISSION
Washington, DC 20463


MEMORANDUM


TO: The Commission

FROM: Thomasenia P. Duncan
General Counsel

BY: Ann Marie Terzake 
Associate General Counsel for Enforcement

Stephen Gura 
Deputy Associate General Counsel for Enforcement

Julie McConnell 
Assistant General Counsel

Joshua Smith 
Attorney

SUBJECT: Necessity for Additional Findings, Revised Factual and Legal Analysis,
in MUR 6038 (Doug Lamborn).

CELA

2010 MAY 21 AM 10:42

RECEIVED
FEDERAL ELECTION
COMMISSION

At the April 27, 2010, Executive Session, the Commission voted to dismiss the allegations that Christian Coalition and the Lamborn Committee engaged in coordination and approved the recommendations to find no reason to believe as to Club for Growth State Action ("Club for Growth") and the other respondents. Although the Commission instructed us to revise the Factual and Legal Analysis for the Lamborn Committee to cover only the alleged coordination with Club for Growth, it did not make a substantive finding with respect to the Lamborn Committee's alleged receipt of in-kind contributions from Club for Growth, nor was there a vote to close the file. See MUR 6038, Certification dated May 14, 2010. We therefore recommend that the Commission find no

10044273481

reason to believe that the Lamborn Committee violated 2 U.S.C. §§ 441b and 434(b) by receiving and failing to report prohibited in-kind contributions in the form of coordinated communications from Club for Growth and close the file in this matter. Since the Commission already voted to approve a revised Factual and Legal Analysis on April 27, we attach the revised Factual and Legal Analysis, which includes a reference to this new finding, for the Commission's information only.

RECOMMENDATIONS

1. Find no reason to believe that Lamborn for Congress and Kathleen Ann Rockefeller, in her official capacity as Treasurer, violated U.S.C. §§ 441b and 434(b).
2. Close the file.

10044273482